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EXAMINER	
ALVESTEFFER, STEPHEN D	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/805,678	KETOLA ET AL.	
	Examiner	Art Unit	
	Stephen Alvesteffer	2175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 November 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-16,18-30,33-36 and 38* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5-16,18-30,33-36 and 38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This Office Action is responsive to the Amendment filed November 18, 2009. Claims 1, 15, and 30 are amended. Claims 4, 17, 31, and 32 are previously cancelled. Claims 37 and 39 are currently cancelled. Claims 1, 15, and 30 are independent. Claims 1-3, 5-16, 18-30, 33-36, and 38 remain pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-3, 5-9, 11-16, 18-25, 27, 29, 30, 33, 34, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates et al. (hereinafter Bates), United States

Patent 6,735,347, and Multiple Item On-line Clipboard, IBM Technical Disclosure Bulletin, July 1992, Volume 35, issue 2, page 425, NN9207425 (hereinafter IBM).

Regarding claim 1, Bates teaches a method comprising:

automatically tracing a latest operation relating to a source application using a tracing application (see Bates column 5 lines 10-24; "*In FIG. 2, the user is attempting to copy the phrase "1. Shall I compare thee to a summer's day?" by drawing a selection box around the phrase, and then copying or cutting the selected material. As with conventional systems, the user performs a cut or copy by selecting the material, typically with a pointing device such as a mouse. The "cut" or "copy" command is then activated by using the proper keystroke, pull down menu, and/or pointing device button. The selected data is then copied into the memory buffer for this purpose, sometimes referred to as a "clipboard.*""), wherein said source application and said tracing application are located on a device (see Bates column 3 line 44 through column 4 line 4; "*In the preferred embodiment, the text extractor 226, intelligent pasting agent 228 and image editor 229 are provided as part of the user interface of computer system 200. As such, they may be implemented as part of operating system 222, as part of application 224, as independent applications, or as a combination thereof*"),

extracting at least one item from said operation (see Bates column 2 line 59 through column 3 line 4; "*The preferred embodiment provides a user interface that gives the user the option to cut or copy information from an image and extract the textual information from the copied image in one cut and paste operation*"),

recording said item automatically into a list of traced and recorded items in a file of the tracing application, said list comprising traced and recorded items from various source applications, wherein said file comprises items of different media types and said file is located on said device (IBM, addressed below),

calling said file by a target application, located on said device (see Bates column 3 line 44 through column 4 line 4; "*Preferably, the text extractor 226, intelligent pasting agent 228 and image editor 229 are implemented system wide such that images can be copied from a document in one application and then intelligently pasted into a new document in a second application. For example, an image can be copied from a word processor, and the extracted text pasted into a text only field viewed on a web browser*"), and

selecting and pasting said one or more items to said target application (see Bates column 2 line 59 through column 3 line 4; "*The extracted text can then be pasted into the destination document as text. Thus, textual information from an image can easily and automatically be copied into text portions of the destination document. Alternatively, the image with the text removed can be copied into the destination in one cut and paste operation*").

Bates does not teach recording said item automatically into a list of traced and recorded items in a file of the tracing application, said list comprising traced and recorded items from various source applications, wherein said file comprises items of different media types and said file is located on said device. Bates only teaches that both image information and extracted textual information from one source application at

a time may be placed in the clipboard (see Bates column 3 line 44 through column 4 line 4; "*The extracted text can then be pasted into the destination document as text. Thus, textual information from an image can easily and automatically be copied into text portions of the destination document. Alternatively, the image with the text removed can be copied into the destination in one cut and paste operation*"). Bates does not disclose storing a list of items from various source applications into the clipboard. IBM discloses storing a list of multiple copied items into a single clipboard (see IBM, Disclosure Text; "*This article describes the user interface for a software function that allows a user to copy or move more than one item into a clipboard*"). It would have been obvious to one having ordinary skill in the art to place multiple items from multiple cut/copy operations into a clipboard as taught by IBM in the invention of Bates so that users can save time (see IBM, Disclosure Text; "*This function saves user time and increases user satisfaction*").

Regarding claim 2, Bates/IBM teaches that the item is selected from the file by means of a clipboard (see Bates column 5 lines 10-24; "*The selected data is then copied into the memory buffer for this purpose, sometimes referred to as a "clipboard.*"").

Regarding claim 3, Bates/IBM teaches that more than one operations are traced and recorded (see Bates column 2 line 59 through column 3 line 4; "*The preferred embodiment provides a user interface that gives the user the option to cut or copy information from an image and extract the textual information from the copied image in one cut and paste operation*").

Regarding claim 5, Bates/IBM teaches that the file is a log file (a clipboard as taught by Bates is a specific type of log file).

Regarding claim 6, Bates/IBM teaches that at least one of the following operations: handling, receiving, sending, downloading, creating, deleting, is traced (see Bates column 2 line 59 through column 3 line 4; "*The preferred embodiment provides a user interface that gives the user the option to cut or copy information from an image and extract the textual information from the copied image in one cut and paste operation*").

Regarding claim 7, Bates/IBM teaches that said item is a content of the operation or a property of the operation (see Bates column 2 line 59 through column 3 line 4; "*The preferred embodiment provides a user interface that gives the user the option to cut or copy information from an image and extract the textual information from the copied image in one cut and paste operation*").

Regarding claim 8, Bates/IBM teaches that the source application and the target application are located within one application program (see Bates column 3 line 44 through column 4 line 4; "*In the preferred embodiment, the text extractor 226, intelligent pasting agent 228 and image editor 229 are provided as part of the user interface of computer system 200. As such, they may be implemented as part of operating system 222, as part of application 224, as independent applications, or as a combination thereof*").

Regarding claim 9, Bates/IBM teaches that the source application and the target application are located in different application programs (see Bates column 3 line 44

through column 4 line 4; "*In the preferred embodiment, the text extractor 226, intelligent pasting agent 228 and image editor 229 are provided as part of the user interface of computer system 200. As such, they may be implemented as part of operating system 222, as part of application 224, as independent applications, or as a combination thereof*").

Regarding claim 11, Bates/IBM teaches that said file is shared between application programs of a computing device (see Bates column 3 line 44 through column 4 line 4; "*In the preferred embodiment, the text extractor 226, intelligent pasting agent 228 and image editor 229 are provided as part of the user interface of computer system 200. As such, they may be implemented as part of operating system 222, as part of application 224, as independent applications, or as a combination thereof*").

Regarding claim 12, Bates/IBM teaches that a media type of the item is identified (see Bates column 3 line 44 through column 4 line 4; "*The extracted text can then be pasted into the destination document as text. Thus, textual information from an image can easily and automatically be copied into text portions of the destination document. Alternatively, the image with the text removed can be copied into the destination in one cut and paste operation*").

Regarding claim 13, Bates/IBM teaches that said media type belongs to one of the following groups: image, audio, video, text, uniform resource location, phonebook entry, music, calendar event, wallet and error message (see Bates column 3 line 44 through column 4 line 4; "*The extracted text can then be pasted into the destination document as text. Thus, textual information from an image can easily and automatically*

be copied into text portions of the destination document. Alternatively, the image with the text removed can be copied into the destination in one cut and paste operation").

Regarding claim 14, Bates/IBM teaches that said media type is used for classifying the item (see Bates column 3 line 44 through column 4 line 4; "*The extracted text can then be pasted into the destination document as text. Thus, textual information from an image can easily and automatically be copied into text portions of the destination document. Alternatively, the image with the text removed can be copied into the destination in one cut and paste operation*").

Claims 15, 16, and 18-25 recite a device with substantially the same limitations as the method of claims 1-3, 5-9, and 11-14. Therefore, the claims are rejected under the same rationale.

Regarding claim 27, Bates/IBM teaches that the device is further configured for manual copying (see Bates column 5 lines 10-24; "*In FIG. 2, the user is attempting to copy the phrase "1. Shall I compare thee to a summer's day?" by drawing a selection box around the phrase, and then copying or cutting the selected material. As with conventional systems, the user performs a cut or copy by selecting the material, typically with a pointing device such as a mouse. The "cut" or "copy" command is then activated by using the proper keystroke, pull down menu, and/or pointing device button. The selected data is then copied into the memory buffer for this purpose, sometimes referred to as a "clipboard.""*).

Claim 29 recites a system for implementing the method of claim 1. Therefore, claim 29 is rejected under the same rationale as claim 1.

Claims 30 and 33 recite a computer program product with substantially the same limitations as the method of claim 1. Therefore, the claims are rejected under the same rationale.

Regarding claim 34, Bates/IBM teaches that a media type of said item belongs to one of the following groups: image, audio, video (see Bates column 3 line 44 through column 4 line 4; "*The extracted text can then be pasted into the destination document as text. Thus, textual information from an image can easily and automatically be copied into text portions of the destination document. Alternatively, the image with the text removed can be copied into the destination in one cut and paste operation*").

Claims 10, 28, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates (6,005,928) *supra*, IBM (Non-Patent) *supra*, and Goh et al. (hereinafter Goh), United States Patent Application 2006/0155811.

Regarding claim 10, Bates/IBM teaches every limitation of claim 10 except that the source application and the target application are located in different devices. Goh teaches a clipboard system for mobile devices that transfers copied files to a target location that can reside at a remote device (see Goh paragraph [0099]; "*After the copy command is issued at step (205), the chart (203) is copied, at step 211, to the clipboard (220) residing on the target location*"; see also Goh paragraph [0096]; "*At the start, there exists an application (200) running on a server in a network. At a target location, which can be a remote computer, server or a mobile device, there exists another application (210)*"). Transferring copied items from a local clipboard to a remote clipboard was well

known in the art at the time the invention was made. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the feature of remote clipboards as taught by Goh in the invention of Bates/IBM so that the invention may operate on mobile devices.

Regarding claim 28, Bates/IBM/Goh teaches that the device is further configured for mobile communication (see Goh paragraph [0096]; "*At the start, there exists an application (200) running on a server in a network. At a target location, which can be a remote computer, server or a mobile device, there exists another application (210)*").

Regarding claim 35, Bates/IBM/Goh teaches that said target application is a multimedia messaging service message (see Goh paragraph [0053]; "*The example embodiment further comprises file conversion techniques for the user to convert an attached file in a received email to an image file format or text format. For example, the resultant image file can be viewed via Multimedia Messaging Service (MMS), while the resultant text can be viewed via WAP*").

Claim 26 and 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bates (6,005,928) *supra*, IBM (Non-Patent) *supra*, and Diamond et al. (hereinafter Diamond), United States Patent 6,591,295.

Regarding claim 26, Bates/IBM teaches every limitation of claim 26 except that said operation is implemented without user action. Diamond teaches a web agent software interface that automatically copies a URL to the clipboard (see Diamond

column 2 lines 22-36; "*The clipboard program provides a graphical user interface which may be used to easily identify and retrieve a multimedia object stored in the database and automatically place the URL which specifies that object in a Web page by using conventional " copy and paste" and "drag-and-drop" methods*"). It would have been obvious to one having ordinary skill in the art at the time the invention was made to perform the copy operation without user action as taught by Diamond in the invention of Bates/IBM so that users can save time from manually performing the selection and copy operation.

Regarding claim 38, Bates/IBM/Diamond teaches that said operation is a phone call and said item is a phone number; or said operation is a camera shot and said item is an image; or said operation is a site downloaded from a network and said item is the URL of the site (see Diamond column 2 lines 22-36; "*The clipboard program provides a graphical user interface which may be used to easily identify and retrieve a multimedia object stored in the database and automatically place the URL which specifies that object in a Web page by using conventional " copy and paste" and "drag-and-drop" methods*").

Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bates (6,005,928) *supra*, IBM (Non-Patent) *supra*, and Kumar, United States Patent Application 2005/0028008.

Regarding claim 36, Bates teaches every limitation of claim 36 except that the method further comprises presenting said item in a list utilizing a check-box feature for

selecting. Kumar teaches utilizing a check-box feature for selecting files to paste from a clipboard (see Kumar paragraph [0114]; "*Paste File(s) from Clipboard: This function allows the user to paste or insert all the selected files (via checkbox) to the selected Folder*"). Both Kumar and Bates/IBM utilize a clipboard for pasting multiple items. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize a check-box feature for selecting files to paste as taught by Kumar in the invention of Bates/IBM to provide a standard way of selecting several items at once.

Response to Arguments

Applicant has amended claim 1 to clarify the limitations. Accordingly, the 35 USC 112 first paragraph rejection of claim 1 is withdrawn.

Applicant has cancelled claim 39. Accordingly, the 35 USC 112 rejection of claim 39 is withdrawn.

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Lin et al. (US 5,949,415) Method and apparatus for tracking program usage in a computer system

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Alvesteffer whose telephone number is (571)270-1295. The examiner can normally be reached on Monday-Friday 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on (571)272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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